

**Testimony in support of Raised Bill #5457, An Act Enhancing Penalties for Harm to Vulnerable Users of a Public Way:**

March 10, 2010

Submitted by: Debra Dauphinais, 860-633-6512 on behalf of:  
**State of Connecticut Bicycle and Pedestrian Advisory Board**

Thank you to the Transportation Committee for your support of bicycle-friendly legislation during last year's session. On behalf of the State of Connecticut Bicycle and Pedestrian Advisory Board, I ask that you continue your support this year.

In 2009, the Transportation Committee led the support for PA 09-154, An Act Improving Bicycle and Pedestrian Access, which established this state advisory board. Our responsibilities, as defined by this law, include, but are not limited to, "examining the need for bicycle and pedestrian transportation, promoting programs and facilities for bicycles and pedestrians in this state, and advising appropriate agencies of the state on policies, programs and facilities for bicycles and pedestrians." In carrying out these responsibilities, the board has voted to support Raised Bill #5457, An Act Enhancing Penalties for Harm to Vulnerable Users of a Public Way.

Bicyclists, pedestrians, and other vulnerable users have equal rights to the use of our roadways as do the drivers of motorized vehicles. All road users, including vulnerable users, have a responsibility to use our roadways in a safe manner, in accordance with state statutes. This responsibility includes using the roadway in a manner that demonstrates awareness of and courtesy towards other road users - by minimizing driver distractions; paying attention to the road ahead of us and around us; observing crosswalks, intersections, and other areas where multiple users interact; and allowing safe distances when passing, overtaking, or turning in front of a slower moving or vulnerable user.

When collisions do occur, the impact on a vulnerable user is, of course, far greater than the impact on the driver of an enclosed motorized vehicle. Sadly, the results are far too often serious injury or death. When these collisions occur as the result of a driver not using the roadway in a responsible manner and/or as designated by law, our current laws do not adequately address the serious nature of these offenses. Law enforcement officers do not have ample penalties available to them for use in these circumstances, when the value of the human life maimed or lost is under-valued under current law. For example, when a pedestrian is properly using a crosswalk and is hit by a driver who is not paying adequate attention to the road, an infraction citing failure to yield to a pedestrian in a crosswalk clearly fails to adequately represent the severity of the offense. While no penalty can restore the damage done, larger penalties, including mandated re-training, serve to increase awareness, decrease repeat offenses, and provide at least some sense of justice should a tragedy occur that would have been prevented by responsible use of the roadway.

The State Bicycle and Pedestrian Advisory Board looks forward to continuing its work towards a more bicycle-friendly Connecticut. We urge you to support this bill that can truly save lives. Thank you for your consideration of this important and much-needed legislation.